

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## EXECUTIVE

### MINUTES OF THE MEETING HELD ON THURSDAY, 11 FEBRUARY 2016

**Councillors Present:** Dominic Boeck, Hilary Cole, Roger Croft, Lynne Doherty, Marcus Franks, James Fredrickson, Alan Law and Garth Simpson

**Also Present:** John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Andy Day (Head of Strategic Support), Martin Dunscombe (Communications Manager), Rod Mercer (Chief Accountant (Operations)), Robert O'Reilly (Head of Human Resources), Peta Stoddart-Crompton (Public Relations Officer), Andy Walker (Head of Finance), Rachael Wardell (Corporate Director - Communities), Robert Alexander (Conservative Group Executive), Councillor Pamela Bale, Stephen Chard (Policy Officer), Councillor Richard Crumly, Councillor Lee Dillon, Councillor Adrian Edwards, Councillor Mollie Lock, Councillor Alan Macro, Councillor Ian Morrin, Jo Reeves (Policy Officer) and Councillor Quentin Webb

**Apology for inability to attend the meeting:** Councillor Graham Jones

#### PART I

##### 51. Minutes

The Minutes of the meeting held on 17 December 2015 were approved as a true and correct record and signed by the Leader.

##### 52. Declarations of Interest

It was noted that all Members present had been granted a dispensation by the Monitoring Officer to speak and vote on any items pertaining to Council Tax.

Andy Day also reported that Councillor Lynne Doherty had an interest in agenda item 7 (Phase 1 Budget Consultation 2016/17) by virtue of the fact that Councillor Doherty's employer was a recipient of the Short Breaks Funding. Councillor Doherty had applied to the Governance and Ethics Committee for a dispensation to speak and vote on this item. The Committee decided that Councillor Doherty could speak and vote on the Phase 1 consultation responses as a whole, but could only speak on the short breaks for children and not vote on this issue should this situation occur.

##### 53. Public Questions

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#).

(a) **Question submitted by Mr Tony Stone to the Portfolio Holder for Highways, Transport and Emergency Planning**

A question standing in the name of Mr Tony Stone on the subject of why works to be carried out on his property arising from the Ardent Report had not been undertaken was answered by the Portfolio Holder for Highways, Transport and Emergency Planning.

(b) **Question submitted by Mr Paul Reeves to the Portfolio Holder for Highways, Transport and Emergency Planning**

A question standing in the name of Mr Paul Reeves on the subject of the impact of the removal of the number 3 bus on his children's transport to school would receive a written

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response from the Portfolio Holder for Highways, Transport and Emergency Planning as Mr Reeves was unable to attend the meeting.

(c) **Question submitted by Mr Michael Hutchins to the Portfolio Holder for Adult Social Care, Housing, Countryside, Community Culture and Leisure Services**

A question standing in the name of Mr Michael Hutchins (asked by Mr Alan Fleming) on the subject of the good work undertaken by the Council's Access Officer was answered by the Portfolio Holder for Adult Social Care, Housing, Countryside, Community Culture and Leisure Services.

(d) **Question submitted by Mr Michael Hutchins to the Portfolio Holder for Adult Social Care, Housing, Countryside, Community Culture and Leisure Services**

A question standing in the name of Mr Michael Hutchins (asked by Mr Alan Fleming) on the subject of how the work currently undertaken by the Access Officer would be taken forward if the post was removed was answered by the Portfolio Holder for Adult Social Care, Housing, Countryside, Community Culture and Leisure Services.

(e) **Question submitted by Mr Alan Fleming to the Portfolio Holder for Adult Social Care, Housing, Countryside, Community Culture and Leisure Services**

A question standing in the name of Mr Alan Fleming on the subject of who else within the Council had as broad a knowledge as the Access Officer about the needs of the disabled or empathy towards the disabled in their needs was answered by the Portfolio Holder for Adult Social Care, Housing, Countryside, Community Culture and Leisure Services.

(f) **Question submitted by Mr Peter Hudson to the Portfolio Holder for Education, Property and Broadband**

A question standing in the name of Mr Peter Hudson on the subject of whether the Council would reconsider its view in relation to the need to assess the safety of the route between Mortimer and the Willink School would receive a written response from the Portfolio Holder for Education, Property and Broadband as Mr Hudson was unable to attend the meeting.

### 54. **Petitions**

Mr Pointer presented a petition containing 3,694 signatures opposing to the proposed funding cuts for short breaks for disabled children. The petition would inform the debate at Council on 1 March 2016.

Mrs Macdonald presented a petition containing 253 signatures opposing cuts to the 143 bus service in Purley and Pangbourne. The petition would inform the debate at Council on 1 March 2016.

Mrs Warren-Tibbetts presented a petition containing 357 signatures opposing cuts to the 143 bus service in Basildon. The petition would inform the debate at Council on 1 March 2016.

Councillor Pamela Bale presented a letter on behalf of the Pangbourne and Whitchurch Sustainability Group which supported the petitions relating to the 143 bus service.

Councillor Roger Croft clarified that as each petition related to the 2016/17 budget consultation, they would form part of the consultation response referenced in the 2016/17 Revenue Budget report debated at Full Council on 1 March 2016.

### 55. **Financial Performance Report 2015/16 - Quarter Three (EX3021)**

The Executive considered a report (Agenda Item 6) which informed Members of the latest financial performance of the Council.

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At Quarter Three, the forecast revenue position was an overspend of £0.6m, which was an increase of £0.1m from Quarter Two. However, the overspend position had decreased significantly from Month 8 and this was as expected due to the recruitment freeze and a reduction in expenditure across the Council.

The Communities Directorate was forecasting an overspend of £0.9m at Quarter Three, which was a similar position to that at Quarter Two. The overspend was primarily the result of a £1.3m pressure within Children and Family Services, forecast overspends within Education of £0.4m and Prevention & Developing Community Resilience £0.1m, offset by savings within Adult Social Care and Care Commissioning, Housing & Safeguarding of £0.9m split approximately equally. The Directorate was looking to mitigate this forecast overspend position further and was reviewing all spending plans to see what could be delivered in the remainder of the financial year.

The Environment Directorate was forecasting an underspend of £305k compared to a £373k underspend at Quarter Two. This was primarily due to additional income from parking and development control and a saving in winter service costs. There had however been a reduction in income mainly due to the slippage of the planning application for the Sandleford Development and the associated fee.

The Resources Directorate was forecasting an overspend of £13k, compared to a £50k overspend at Quarter Two. There were a number of forecast changes by Service, mainly reductions in Customer Service and ICT offsetting increases within HR and Legal.

Of the £5.9m savings programme for 2015/16, £806k (14%) of initiatives were being reported as red (9% Q2), none were being reported as amber (1% Q2) and £5.1m (86%) green. The level of red savings was higher than in previous years which might be an indication that savings were getting harder to deliver year on year.

Councillor Alan Macro enquired whether the increase in the forecasted expenditure on agency staff in Children's Services was a result of the failure of the Social Work Academy, commenting that use of agency staff was a concern due to the discontinuity it led to for service users. Councillor Lynne Doherty advised that the academy was working and expenditure on agency staff had decreased overall since quarter one, however there had been a slowdown in that decrease since the last quarter was reported. The Council was still working hard to improve recruitment and retention of social workers.

Councillor Macro also asked for the reason that expenditure on Discretionary Housing Payments had decreased. Councillor Hillary Cole advised that there was a lack of demand for the funds, despite making people aware of their availability.

Councillor Macro expressed that he was disappointed to learn that a delay in the implementation of the Youth Services restructure was causing further budgetary pressure. Councillor Doherty advised that full in-year savings could not be achieved due to redundancies and notice periods that were required.

Councillor Macro finally asked if the Council was doing enough to promote the Disabled Facilities Grant as there was a large underspend forecasted of £400k. Councillor Cole responded that the Council did what it could to promote the grant, including frontline staff making people aware of it, but there was a lack of demand. Councillor Croft congratulated the officers that coordinated the grant, explaining that a couple in his Ward had been able to stay in their home following adaptations to their bathroom. Councillor Croft urged all Members to remember the Disabled Facilities Grant when faced with enquiries from their residents and urged them to talk to the very helpful officers, to whom he gave his thanks.

Councillor Lee Dillon asked what works at Four Houses Corner were planned which justified a spend of £400k from the Disabled Facilities Grant. Councillor Cole replied that the detail was complex and she would provide a written answer.

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Councillor Dillon enquired what pressures were leading to an overspend in the Special Educational Needs Home To School Transport budget. Councillor Dominic Boeck responded that there was more demand on the service and officers were looking for savings within the service to offset the spending.

Councillor Dillon asked what the increases in spending on Human Resources and Legal Services were. Councillor James Fredrickson advised that demand pressures were currently putting pressure on the budgets in those areas, which had always been subject to fluctuations but the increase in spending was very small in the context of the whole service budgets.

**RESOLVED** that latest financial position of the Council be noted.

**Reason for the decision:** To ensure that Members are fully aware of the latest financial position of the Council.

**Other options considered:** None

### 56. Phase 1 Budget Consultation 2016/17

The Executive considered a report (Agenda Item 7) which provided an update on the results of Phase 1 of the public consultation exercise in relation to the 2016/17 budget. The report provided information on the total number of responses received to the consultation and detailed the total number of responses received for each savings proposal.

The report also included details of where “counter proposals” had been made by organisations and looked at those savings proposals which were currently funded by the public health grant.

Councillor Roger Croft introduced the report by reminding those present that from 3 November 2015 to 14 December 2015, the Council consulted the public on the need to make £10.8m of savings in 2016/17. £4.6m of these savings affected frontline services. The consultation generated over 2,500 responses and covered 47 individual budget proposals. The feedback, which was very comprehensive, was contained within the agenda paperwork and Councillor Croft thanked the public for their comprehensive responses to the consultation.

Councillor Croft also placed on record his thanks for the significant amount of time that Members and Officers had spent, since the consultation closed on 14 December 2015, in reading and assessing all of the comments received. Provided within the agenda paperwork were the verbatim comments, a summary of comments template, an overview and recommendations template and Equality Impact Assessments for each of the 47 savings proposals, over 900 pages in total.

During the course of the consultation, Members had been provided with a formal briefing note of the requirements placed on them in relation to the Public Sector Equality Duty, a copy of which had been provided to Members for this meeting. The Public Sector Equality Duty essentially required decision makers to keep the welfare of service users and their families at the forefront of their minds particularly those that were most disadvantaged.

The role of the Executive at this evening’s meeting was to provide a recommendation to Council on each of the 47 public facing savings proposals in order that a balanced budget could be agreed on 1 March 2016 and an overview template covering all 47 savings proposals with an appropriate recommendation was attached to the report. However, Councillor Croft advised that if the savings proposal was taken, this did not mean that the corresponding service would end. Through discussions triggered by the

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consultation, Councillor Croft was encouraged to see other local organisations, parish and town councils coming forward to offer some of the services outlined in the report which were subject to potential reductions.

Prior to making appropriate recommendations, Councillor Croft expressed publicly his disappointment as Leader of West Berkshire Council on receiving the Government's Revenue Support Grant (RSG) Settlement consultation one week before Christmas. This consultation proposed a cut in the Council's RSG by 44% or £8m in one year. The Council had been planning and working towards a proposed cut of 25%.

Having received this news Members, working with Officers, had spent a significant amount of time looking at where these additional savings could be found. The process of identifying Phase 1 savings was found to be very challenging, but Phase 2 savings had been even more difficult and disappointing. Councillor Croft was certain that fellow Members would agree that they did not become Councillors to close down important services valued by the District's residents or to increase the Council Tax burden on residents.

Councillor Croft was then pleased to report that with the help of Richard Benyon MP and John Redwood MP, the Council had managed to persuade the Government that reducing West Berkshire's budget by 44% in one year was a step too far. Accordingly he was pleased to say that the Council had been advised that the Government would provide transitional funding in 2016/17 of £1.39M and £1.37M in 2017/18. This was not a significant amount of additional funding and would not stretch too far, however Councillor Croft reported that he was committed to looking at those areas of feedback received in Phase 1 and would no doubt receive to Phase 2 savings proposals to assess where the Council might be able to provide some transitional funding to secure the future sustainability of a service.

The Phase 2 public facing savings proposals consultation would go ahead and would run from 15 February 2016 to 7 March 2016. As a result of the Government's timing, the Council was only able to run a three week consultation timeline. However, the Government had recently issued consultation guidance which permitted a shorter timescale to be agreed where there were exceptional circumstances. Councillor Croft could not think of a more exceptional set of circumstances than the position the Council had been placed in.

Councillor Croft then took the opportunity to clarify how the decisions around the budget would be made given that the Council would set its budget on 1 March 2016 with the consultation still open. The Council would set its budget on 1 March 2016, but a request would also be made for the Executive, at its meeting on 21 April 2016, to be given delegated authority to adjust these plans afterwards should it need to. Once the consultation closed on 7 March 2016 the responses to the Council's proposals would be fully considered. If any issues were raised, which required a change to the Council's plans, the Executive would be able to respond accordingly.

Given that the Executive would be making a recommendation to Council, Councillor Croft did not see any value in rehearsing the debate which would be held at Council. However, Councillor Croft did offer Members the opportunity to make comments at this stage, perhaps to clarify something raised in the consultation or matters that had arisen post consultation.

In light of the finalised Government settlement, Councillor Croft advised of his wish to amend the recommendation set out in paragraph 2.2 of the report to enable Members to look at the implications of this and recommend to Council on 1 March 2016 any changes to plans should this be appropriate. Councillor Croft reiterated that the additional

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Government funding was for transitional purposes and any proposals considered would be on the basis of them becoming self sustainable in the future.

Councillor Croft then recommended the proposals in paragraphs 2.1, 2.2 (amended) and 2.3, with 2.2 proposed for amendment as follows:

'That, should transitional funding not be considered appropriate, Full Council be recommended to progress each of the non public health grant funded savings proposals (29 individual proposals in total) and the one income proposal relating to car parking as set out in Appendix C.'

Councillor Marcus Franks made reference to the counter proposal that had been put forward for the CCTV savings proposal which he saw as an excellent example of the successes that could be achieved via consultation. In response to the consultation, Newbury Town Council working with Newbury Business Improvement District and Thames Valley Police were developing a proposal that would hopefully result in a CCTV system being retained in Newbury. Thatcham and Hungerford Town Councils, and Lambourn and Theale Parish Councils were also considering the potential to develop their own bespoke CCTV service.

Councillor Dominic Boeck made reference to the savings proposals for discretionary home to school transport. He specifically commented on the Mortimer to Willink School walking route and explained that Officers had rigorously assessed this route in line with national guidelines. However, to support this a second independent opinion had been sought to assess highways matters for this route and the outcome of this had supported the original Officer view. Councillor Boeck also advised that he was working with Officers with a view to the Council undertaking infrastructure works such as signage, drainage, vegetation maintenance and the implementation of a crossing on Goring Lane in order to improve this route, with appropriate levels of investment to be considered as part of this.

Other options proposed by Officers in relation to home to school transport included the potential for a seat to be offered for pupils, whose free entitlement to transport had ceased, on a fare payer basis; and for the Council to encourage schools and/or community groups to set up their own bus services.

Councillor Alan Law referred to the proposals for the 143 bus service, which was the subject of two of the petitions presented to tonight's Executive. He explained that the Council's subsidy had been placed under pressure following the decision of Oxfordshire County Council to end their subsidy. However, the strong local feeling to maintain this service was noted and Councillor Law felt that this was an area where committed local support could enable the service to continue at least in part. As an example, he was pleased to advise the Executive that Basildon Parish Council had offered a funding contribution of £10k for this service and he was hopeful that others would follow this example and make a similar contribution. Councillor Law also made the point that a minimal level of public use would enable the service to run without a need for any subsidy.

Councillor Law concluded his comments by thanking members of the public for their extremely informative consultation responses.

Councillor Alan Macro stated that was pleased that a review of both Phase 1 and Phase 2 consultation proposals would be undertaken in the light of the additional Government grant being received over the next two financial years. Councillor Macro explained that he had a number of serious concerns in relation to the proposed cuts, but advised that he would reserve his comments for the debate at Council on 1 March 2016 when the full budget paperwork and list of savings proposals would be available.

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Councillor Mollie Lock referred to Councillor Boeck's comments on home to school transport and stated that she was pleased that a second risk assessment had been undertaken on the Mortimer to Willink School route. She was however concerned that works to repair the routes to the school would be costly and the cost per day for a child to travel to school on a private bus would be high (around £8 per day) in comparison to the daily charge for a public bus (£1.90 return). She then asked whether the risk assessment was based on the full route which incorporated the woodlands and the bridleway. In response, Councillor Boeck confirmed that the full route was assessed, this included Wokefield Common and Goring Lane. He also reiterated that the route was considered alongside national highways guidelines.

Councillor Lee Dillon sought to understand whether the Phase 2 consultation would make reference to the Phase 1 proposals so that residents could understand wider impacts, i.e. a cut to a library service in an area further exacerbating the impact of cuts to public transport in the same area. Councillor Croft responded to this query by explaining that there had been a significant level of signposting to Phase 1 proposals and this would be likewise for Phase 2 when it went live on Monday 15 February 2016. Consideration had also already been given to the impact caused by proposals on one another and potential mitigation. Andy Day added that the Phase 1 proposals remained on the Council's website and there would therefore be the ability for members of the public to consider what was proposed for Phase 2 alongside the earlier proposals.

Councillor Dillon then queried whether website links would be included which directed the individual to related proposals. Andy Day agreed this could be considered outside of the meeting, but stated that it was important for ease of access to the consultation to be established and the inclusion of different links to separate pages could complicate the process.

Councillor James Fredrickson informed Members that dialogue had been ongoing with the press to continue to help raise awareness of the Council's plans and its consultation exercises. It was important to hold an inclusive consultation process and Councillor Fredrickson felt that the additional Government funding put the Council in a better position in terms of the ability to respond to consultation comments.

### **RESOLVED that:**

1. the responses received to each of the 47 public facing savings proposals in relation to Phase 1 of the public consultation exercise undertaken on the 2016/17 budget be noted.
2. should transitional funding not be considered appropriate, Full Council be recommended to progress each of the non public health grant funded savings proposals (29 individual proposals in total) and the one income proposal relating to car parking as set out in Appendix "C".
3. it be a recommendation to Council that those public health grant funded services set out in paragraph 3.4 of Appendix "A" and Appendix "C") totalling £114,000 be progressed.

**Reason for the decision:** to enable the Council to set a balanced budget for the 2016/17 financial year.

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**Other options considered:** None. The Council is required to consult on its 2016/17 budget by virtue of the Equality Act 2010 and particularly in relation to any proposals which might have a public impact.

### 57. Members' Questions

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#).

(a) **Question to be answered by the Leader of the Council submitted by Councillor Lee Dillon**

A question standing in the name of Councillor Lee Dillon requesting an update on the negotiations with Parkway was answered by the Leader of the Council.

(b) **Question to be answered by the Portfolio Holder for Adult Social Care, Housing, Countryside, Community Culture and Leisure Services submitted by Councillor Alan Macro**

A question standing in the name of Councillor Alan Macro requesting the latest figures for homes standing empty for six months or more and a comparison of the current position with that of a year ago was answered by the Portfolio Holder for Adult Social Care, Housing, Countryside, Community Culture and Leisure Services.

(c) **Question to be answered by the Portfolio Holder for Education, Property and Broadband submitted by Councillor Mollie Lock**

A question standing in the name of Councillor Mollie Lock asking how many West Berkshire Council children were currently being taught at home and their age when they began home tuition was answered by the Portfolio Holder for Education, Property and Broadband.

### 58. Exclusion of Press and Public

**RESOLVED that** members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006. Rule 8.10.4 of the Constitution also refers.

### 59. Staffing Implications associated with savings put forward to deliver the 2016/17 Revenue Budget post public consultation: Approval to Pay Redundancy Payments (EX3057)

*(Paragraph 1 – information relating to an individual)*

*(Paragraph 2 – information identifying an individual)*

The Executive considered an exempt report (Agenda Item 10) which sought approval to make the redundancy payments associated with the required staffing implications associated with savings to deliver the 2016/17 revenue budget.

**RESOLVED that** the recommendations in the exempt report be agreed.

**Reason for the decision:** as set out in the exempt report.

**Other options considered:** as set out in the exempt report.

*(The meeting commenced at 5.00pm and closed at 6.04pm)*

**CHAIRMAN** .....

**Date of Signature** .....